IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

SECOND APPEAL NO.504 OF 2005.

(Hasan Liva Gulam-e-Liva Vs. Ali Bhai Mhod. Bhai & oth. .)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders
	Shri Sameer Adkar with Shri Pendharkar, Sr.Counsel for Appellant. Shri Badar with Shri S.V.Manohar, Advocate for respondents.

CORAM : R.C.CHAVAN, J.

DATED : AUGUST 24, 2007.

1. Heard.

2. The appeal is required to be admitted on the substantial question of law, namely :

> "*Whether the Deputy Charity Commissioner could have entertained application under Section 50-A of the Bombay Public Trusts Act, on 2nd January, 1998, which stood repealed in its application to Wakf property w.e.f. 1st January, 1996*".

3. Parties have filed joint pursis agreeing to disposition of Second Appeal in the terms mentioned in the pursis.

2. In view of this, Second Appeal is **disposed of** in terms of the pursis, which is marked “X” for identification.

3. Consequently, Judgment dated 14th February, 2005 in Regular Civil Application No.13 of 2003 is set aside.

4. Application No.1/1998 under Section 50-A of the Bombay Public Trusts Act pending before the Deputy Charity Commissioner, Nagpur shall stand transferred to the Maharashtra State Wakf Board for being dealt with under Section 69 of the Wakf Act, 1995.

5. In view of the Joint Pursis all Civil Applications stand disposed of.

6. Parties to bear their own costs.

JUDGE.

RR.